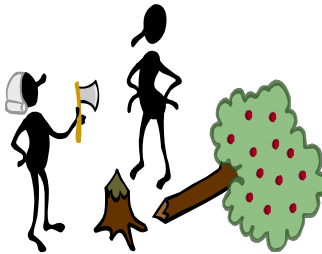


What is the Hatch Act?



By Sue Tanner, CG-1214

Are you getting anxious over the upcoming national elections? Are you being drawn into participating in partisan political activity? With national elections quickly approaching, you may want to brush up on the Hatch Act before participating in political activities including distributing political paraphernalia around the office. The Office of Special Council (OSC) enforces restrictions on the political activity and the Hatch Act covers the **do's** and **don'ts** of political activities for federal employees, both on and off duty. Your political enthusiasm could result in disciplinary or adverse action being taken against you.



Don't forget to remind your employees that

Hatch Act violations are extremely serious, with the minimum penalty for a violation of the Hatch Act being a 30 day suspension without pay. Ouch! That's going to hurt with the gas prices these days.

An investigation by the Office of Special Council (OSC) led to a NASA employee at the Johnson Space Center in Houston being suspended for **180 days** commencing March 30, 2008 for Hatch Act violations. He used his government e-mail account and government computer to send partisan political e-mails in 2006 and 2007. He also posted blogs promoting several candidates including individuals running for governor and state representative as well as posting an invitation to a fundraising event soliciting a \$20 contribution for a partisan political organization.

Special Council Scott Bloch recently said, "There was a time when the Hatch Act was about wearing campaign buttons in the office, or engaging in political activity while on duty, wearing an official uniform, or in a government vehicle. Today, modern office technology multiplies the opportunities for employees to abuse their positions and, as in this serious case, to be penalized, even removed from their job, with just a few clicks of a mouse." At an earlier time he said, "It is important for federal employees to realize that sending e-mails on the job that

advocate for a candidate for office may subject them to discipline and possibly the loss of their jobs. The federal workplace should not be used for political advocacy.”

The Hatch Act specifically prohibits federal employees from engaging in any political activity while in the workplace and while on duty. Federal employees are prohibited from displaying coffee mugs, buttons, or other paraphernalia in the workplace with the following messages: *Vote for...; I support ...; or Register for* Federal employees are also prohibited from displaying political bumper stickers on *government* vehicles.



A Federal employee:

- **May not** use his or her official authority or influence to interfere with an election
- **May not** solicit, accept or receive political contributions except under certain limitations
- **May not** knowingly solicit or discourage the political activity of any person who has business before the agency
- **May not** engage in political activity while on duty, in a government office, while wearing an official uniform, or while using a government vehicle
- **May not** become a candidate for public office in a partisan election
- **May not** wear partisan buttons while on duty
- **May not** have his or her name appear on an invitation to a political fundraiser as a sponsor or point of contact

A Federal employee:

- **May** be a candidate for public office in **nonpartisan** elections and may solicit, accept, or receive political contributions for his or her **own** campaign
- **May** register and vote as he or she chooses
- **May** express his or her opinion about candidates and issues and assist in voter registration drives
- **May** stand outside a polling place on Election Day and hand out brochures on behalf of a partisan candidate or political party
- **May** attend political fundraising rallies and meetings; may even organize a fundraiser, including supplying names for the invitation list, as long as he or she does **not** personally solicit, accept, or receive contributions
- **May** join a political party, sign nominating petitions, and campaign for or against candidates in partisan elections
- **May** campaign for or against referendum questions, constitutional amendments, municipal ordinances
- **May** distribute campaign literature in partisan elections
- **May** make a contribution to the campaign of a partisan candidate, or to a political party or organization

- **May** serve as a delegate, alternate, or proxy to a state or national party convention
- **May** speak at a political fundraiser, as long as he or she is **not** on duty and does **not** solicit political contributions
- **May** park his or her privately owned vehicle with a bumper sticker in a government parking lot or garage or in a private lot or garage for which the employee receives a subsidy from his or her agency

Administrative Law Judges and career Senior Executive Service employees in the Coast Guard need to be aware that they are subject to more extensive restrictions on their political activities than most other employees.

More detailed information on the Hatch Act, can be accessed on the Office of Special Counsel's website at <http://www.osc.gov/hatchact.htm>. Any questions or concerns regarding the Hatch Act should be directed to your servicing CG-1214 Human Resources Specialist or your Command Staff Advisor.

